

### REMARKS

The Examiner has requested a new Oath and Declaration which properly claims priority to the foreign application. Thus, enclosed herewith is a newly executed Declaration and Power of Attorney which properly claims priority to the foreign application.

Claims 1 - 9 have been rejected under 35 U.S.C. §102(b) as being anticipated by Poole U.S. 435,708.

The Examiner's rejection is respectfully traversed.

As amended, the Applicant's invention is directed to an anti-scaling device having a hollow central portion mounted on a bar for rotation around a transverse axis. The bar passing through the hollow central body portion along the transverse axis. The device also includes several spike units extending outwardly from the body portion in different directions, wherein the spike units are rotatably mounted on the central body portion around axes non-congruent with the transverse axis.

Poole does not disclose a device in which the bar passes through the hollow central body portion. With the Poole device, it is impossible for the bar to pass through the hollow central body portion along the transverse axis as the hollow central body of Poole is used to mount the "teeth" by means of pin c.

Claim 10 has been rejected under 35 U.S.C. §103 as being unpatentable over Poole '708.

The Examiner's rejection is respectfully traversed.

As claim 10 is dependent upon a patentable independent claim, it is also deemed to be patentably distinguishable.

As independent claim 1 is patentably distinguishable from the prior art references, the remaining claims dependent there from are also patentable distinguishable.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicants respectfully contend that Poole '708 does not anticipate the claimed invention under the provisions of 35 U.S.C. § 102(b). The Applicants also respectfully contend that the teachings of Poole '708 do not establish a *prima facie* case of obviousness under the provisions of 35 U.S.C. §103(a). Thus, claims 1-10 are considered to be patently distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Arlene J. Powers', is written over a horizontal line.

Arlene J. Powers  
Registration No. 35,985  
Gauthier & Connors  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension 110